2022 Regular Session

HOUSE BILL NO. 516

BY REPRESENTATIVES LANDRY AND FREEMAN

EDUCATION: Requires each governing authority of a public high school to adopt policies regarding attendance, breastfeeding, and child care for students who are pregnant or parenting.

AN ACT

To enact R.S. 17:221.8 and 3996(B)(67), relative to students; to require the governing authority of each public high school to adopt policies relative to students who are pregnant or parenting; to provide that policies shall address attendance, breastfeeding, and child care; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. This Act shall be known and may be cited as the "Support for Pregnant and Parenting Students Act".

Section 2. R.S. 17:221.8 and 3996(B)(67) are hereby enacted to read as follows:

§221.8. Pregnant or parenting students; policies; attendance, breastfeeding, and child care

A. The governing authority of each public high school shall adopt an attendance policy for pregnant and parenting students that shall:

(1)(a) Excuse absences due to conditions related to pregnancy or parenting, including but not limited to labor, delivery, and recovery; prenatal and postnatal medical appointments and other medically necessary pregnancy-related absences; a child's illness or medical appointment; and legal appointments related to pregnancy or parenting, including but not limited to adoption, custody, and visitation.
(b) Provide at least ten days of excused absences for both a parenting mother and a parenting father after the birth of a child.

(2) At the conclusion of any pregnancy-related or parenting-related period of absence, allow a student to make up missed work in a reasonable amount of time that shall not be less than the number of days the student was absent and choose from various options to make up the work, including retaking a semester, participating in an online course credit recovery program, being granted six weeks to continue at the same pace and finish at a later date, or receiving home-based instruction services.

(3) Provide that for any of the absences provided in Paragraph (1) of this Subsection, a school shall not require:

(a) Documentation from a physician.

(b) Permission from a parent or legal guardian for a student to check out of school.

B. The governing authority of each public high school shall adopt a policy relative to breastfeeding that shall:

(1) Provide for reasonable accommodations for a lactating student on a school campus to express breast milk, breastfeed, or address other breastfeeding needs, which shall include, at a minimum:

(a) Access to a private and secure room other than a restroom to express breast milk or breastfeed a child.

(b) Permission to bring a breast pump and any other equipment used to express breast milk to school.

(c) Access to a power source for a breast pump or any other equipment used to express breast milk.

(d) Access to a place to store breastmilk safely.

(2) Provide that a lactating student shall be provided a reasonable amount of time to accommodate the need to express breast milk or breastfeed a child while at school.

CODING: Words in **struck through** type are deletions from existing law; words **underscored** are additions.
(3) Provide that a student shall not incur an academic penalty as a result of
use, during the school day, of the reasonable accommodations specified in this
Subsection and shall be provided the opportunity to make up any work missed due
to such use.

C. If a public high school provides access to child care either on campus or
off campus, the school's governing authority shall adopt a policy for notifying
students of such child care options, which shall be available to both student mothers
and student fathers. If a public high school does not provide such child care, its
governing authority shall adopt a policy for assisting parenting students in
identifying child care providers.

§3996. Charter schools; exemptions; requirements

B. Notwithstanding any state law, rule, or regulation to the contrary and
except as may be otherwise specifically provided for in an approved charter, a
charter school established and operated in accordance with the provisions of this
Chapter and its approved charter and the school's officers and employees shall be
exempt from all statutory mandates or other statutory requirements that are
applicable to public schools and to public school officers and employees except for
the following laws otherwise applicable to public schools with the same grades:

(67) Students who are pregnant or parenting, R.S. 17:221.8.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part
of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute
part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 516 Original 2022 Regular Session Landry

Abstract: Requires each governing authority of a public high school to adopt policies
regarding attendance, breastfeeding, and child care for students who are pregnant or
parenting.

CODING: Words in struck through type are deletions from existing law; words underscored
are additions.
Proposed law requires each governing authority of a public high school to adopt policies relative to attendance, breastfeeding, and child care for students who are pregnant or parenting as follows:

(1) Relative to attendance, provides that absences for certain conditions and activities related to pregnancy or parenting shall be excused and requires that students be allowed to make up missed work.

(2) Relative to breastfeeding, requires reasonable accommodations for lactating students to breastfeed or express breast milk at school.

(3) Relative to child care, requires informing parenting students of school-provided child care; if no school-provided child care is available, requires assisting parenting students in locating child care.

Proposed law is applicable to all public high schools, including charter schools.

(Adds R.S. 17:221.8 and 3996(B)(67))